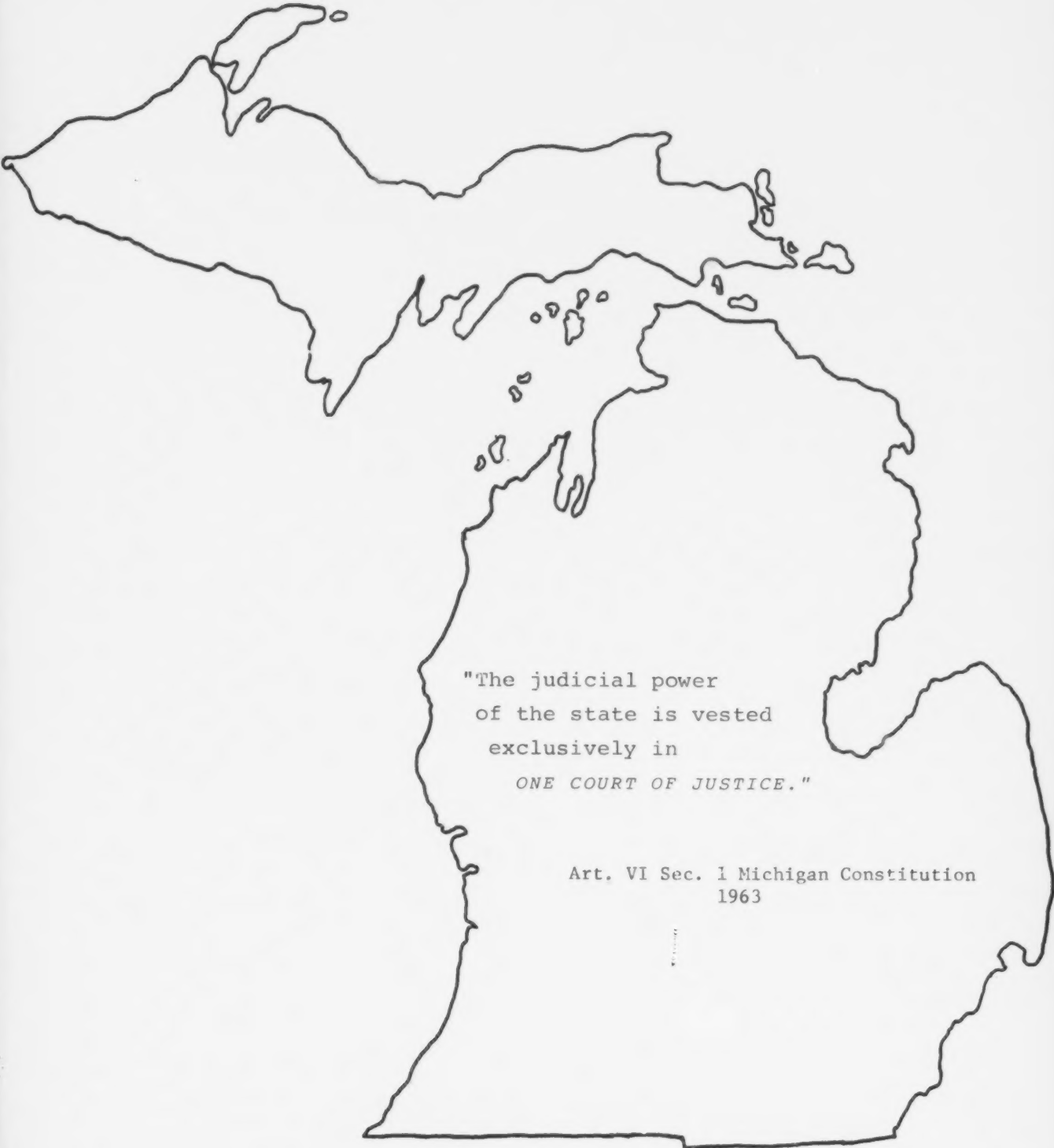


5 396²-1.1 (A)

A simple black outline map of the state of Michigan, showing its characteristic shape with the Lower and Upper Peninsulas and the surrounding water bodies. The map is centered on the page.

"The judicial power
of the state is vested
exclusively in
ONE COURT OF JUSTICE."

Art. VI Sec. 1 Michigan Constitution
1963

1979-80 ANNUAL REPORT

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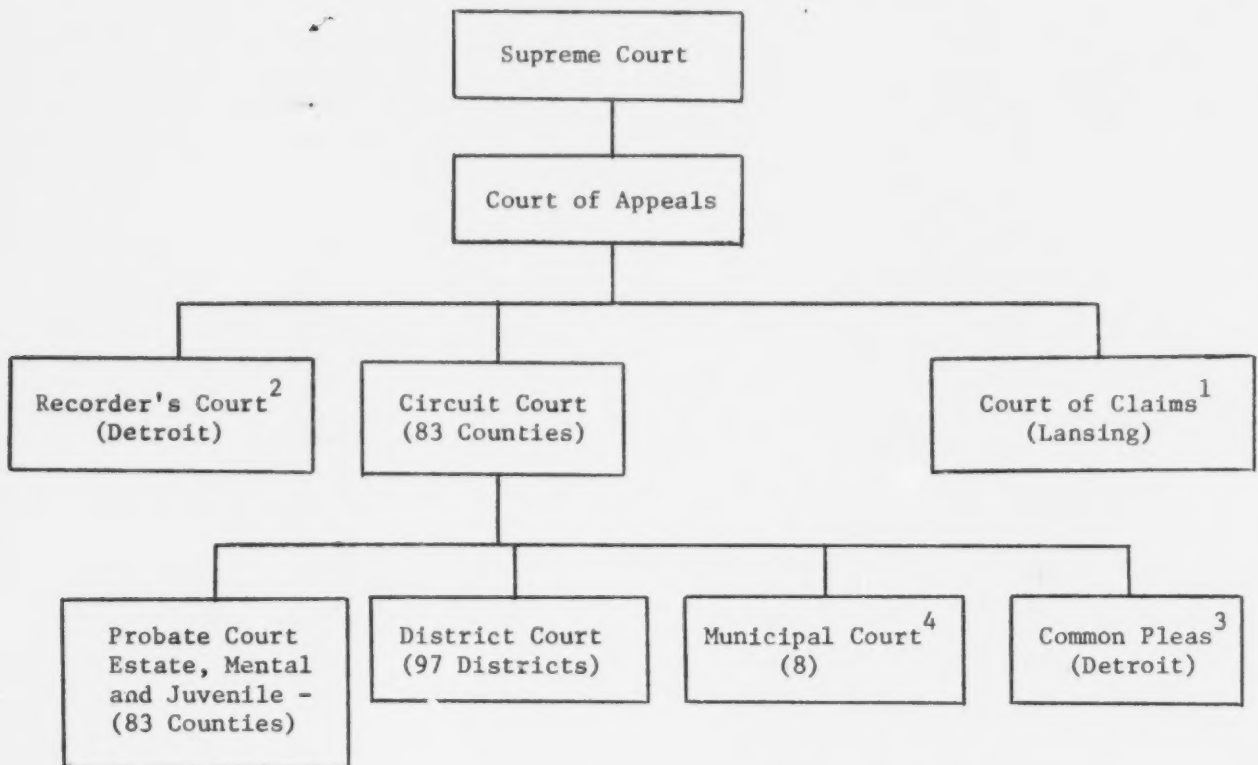
To the Honorable Chief Justice and
Associate Justices of the
Supreme Court of Michigan

This report for July 1, 1979 - June 30, 1980 is submitted in accordance with General Court Rule 901.1 which requires, among other matters, the State Court Administrator, under the supervision and direction of the Supreme Court:

- * "to supervise and examine the administrative methods and systems employed in the courts . . .
- * "to examine the status of the calendars of the courts . . .
- * "to make recommendations to the Supreme Court relating to the assignment of judges . . .
- * "to collect and compile statistical and other data, and make reports of the business transacted by the courts, and transmit the same to the Supreme Court to the end that such statistics and other data may be used in taking proper action in the administration of justice."

Michigan Court System

July 1, 1979 - June 30, 1980



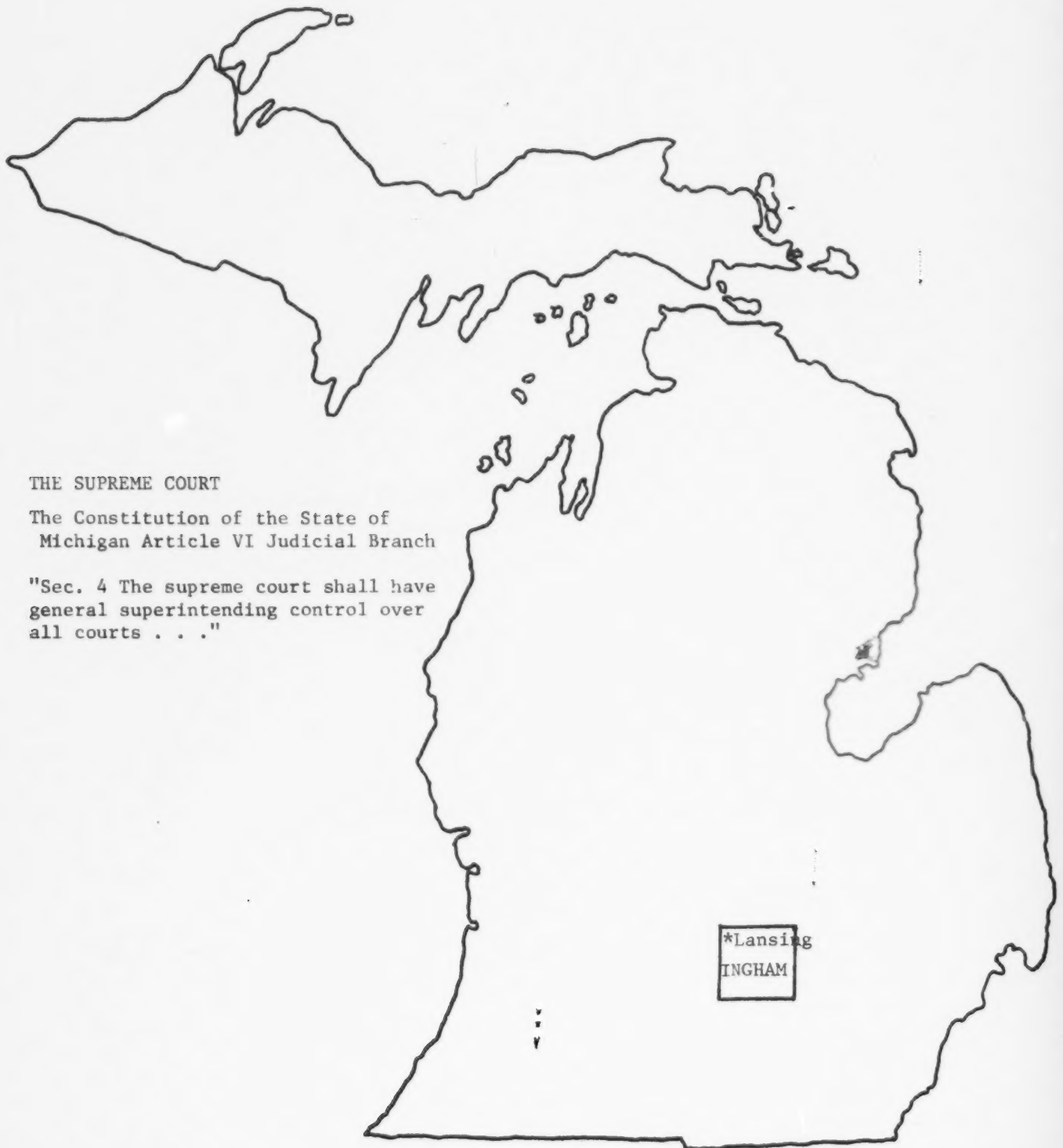
¹Hears claims against the State over \$100 except where Circuit Court has jurisdiction.

²Has jurisdiction in criminal cases arising within City of Detroit; also has Traffic and Ordinance Division.

³Has exclusive jurisdiction in civil matters up to \$5,000 and concurrent jurisdiction with Wayne County Circuit Court in cases under \$10,000.

⁴Taylor Municipal Court became a District Court January, 1980; Grandville and Walker changed to District Court January, 1981. As of February, 1981, six Municipal Courts remained.

THE SUPREME COURT



THE SUPREME COURT

The Constitution of the State of
Michigan Article VI Judicial Branch

"Sec. 4 The supreme court shall have
general superintending control over
all courts . . ."

Location
Lansing

Judgeships
7

November, 1980

State of the Judiciary Message
Presented to the Michigan Legislature
March 18, 1980 by
Chief Justice Mary S. Coleman
Michigan Supreme Court

My experiences as Chief Justice with the Legislature have quickened my understanding of your burdens and my respect for your achievements.

I have long harbored the belief that if decent people run our government, we will have decent government. In the highest sense of the word, I have worked with many very decent people in leadership roles this year, so my expectations are high.

It even occurred to me that the situation in Michigan state government today is comparable to that which existed in the 1950's when my husband toiled under this dome as Senator and Majority Leader -- and when Michigan made significant progress in many areas.

Then my present colleague, G. Mennen Williams, was Governor and both Houses of the Legislature were dominated by the opposite political party. Although the division of voting strength was closer then, the major legislative accomplishments of that period were brought about by the combining of efforts of groups drawn from both sides of the aisle who then worked in close cooperation with the Governor.

For instance, such coalitions were able to lay out and launch construction of the modern free highway system of Michigan -- for many years referred to as the "Coleman Highways", incidentally. Amid great controversy, Lou Cramton's father in the House and my husband in the Senate led the successful fight to give Michigan its first Fair Employment Practices Act. Similarly, constructive forces were joined to squeak through the Mackinac Bridge bills and to rescue the project with the help of U.S. Senator Prentiss Brown (D) who was in New York to guide to success the critical and difficult financing arrangements.

The Administrative Procedures Act was passed then. The first foster care bills were passed and Michigan came from one of the lowest in the Nation to one of the highest in unemployment and worker's compensation benefits of that day. Five mental hospitals -- desperately needed at the time -- were authorized and built. Wayne State University was born.

I could go on and on. But the bottom line of all this is that the political party alignments of that period are reversed in the present era of state government. Where the Executive then was in Democratic hands, the Legislature then was predominately Republican, today just the opposite relationship prevails.

And so, facing the 1980s, it seems to me there exists a great opportunity for political forces of any persuasion to coalesce, even as then, to bring about statesmanlike answers to problems that have defied solution heretofore.

In saying this, I am not unmindful of the very considerable achievements wrought in recent legislative sessions under present leadership. I only wish to stress anew, as our fast-changing world moves into a new decade, that the times urgently demand a high order of vision and wisdom on the part of us all.

It was ten years ago, on March 8, 1971, that the late Thomas Matthew Kavanagh stood here to inaugurate the present series of annual "State of the Judiciary" addresses. His purpose, shared by the legislative leaders who invited him, was to promote closer harmony between the Judicial and Legislative branches. I devoutly hope that this objective will be advanced today and by all who succeed us in these separate but interdependent branches of government.

To our mutual benefit, in times of much stress and rapid change in society, the court system, with legislative support, generally has kept pace with the demands placed upon it.

In some respects, this has meant more of things. For the state it has meant primarily more trial judges. For the local units of government, it has meant more staff, more equipment, more space, more supplies and services, more money.

And yet, despite creditable progress, some of the nagging, bedrock problems of ten years ago still trouble the Judiciary.

In simplest terms, they focus on two recurring themes. One is bringing to the antiquated, chronically troubled court systems of Detroit and Wayne County the advantages enjoyed by the rest of the state. The other is shifting the onerous ever-growing burden of financing court operations from the struggling counties and other local funding units to the state.

Partly because of Governor Milliken's willingness to address these issues in financial terms, they were placed as priority items on the legislative agenda last year. They are still before you.

The late Thomas Matthew Kavanagh was right ten years ago, in urging prompt action. Governor Milliken was right last year when he adopted the cause. My colleagues and I are right, I wholeheartedly believe, in endorsing these objectives. I commend them to you now.

If the goals are so meritorious, what is the hold-up? I am frequently asked.

The issues, neither of them, have a simple answer and some of your leadership are working exceedingly hard to resolve difficult portions of these monumental undertakings.

Obviously, a shift to state financing of the entire court system presents a most forbidding budget problem. Serious proposals directed to this end contemplate

some sort of phasing. The Governor has spoken of an across the board four-to-five year phase-in, and this concept won recognition and preliminary approval by this Legislature in 1979. I refer to Section 38 of PA 111, the General Government appropriation for the current fiscal year.

As I told the Michigan Association of Counties in February, the question is fast-becoming not whether there will be state financing but when it will come, and on what terms.

In my assessment, the limited financial resources of the counties make it imperative to eliminate so far as practical the steeply rising expenses of paying for a state-imposed court system. As you are aware, of the three branches of government, the Judicial branch is the only one not funded by the state. It is, however, subject to all legislative and judicial requirements demanding the outlay of money by the local units.

Consider: Since I began my judicial career in 1961, the number of circuit judges alone in Michigan has nearly doubled -- from 81 to 156.

Taking the multiplication of circuit judges as a symbol of the tropical growth in litigational activity, think for a moment of what the figure in reality means to county budgetmakers.

Imagine, for one, the creation of 75 new circuit courtrooms, fully prepared to conduct trials. Think of the equipment entailed, the support manpower including expensive professionals, the supplies, the sheer volume of paper. Think, for a moment, of the ancillary services dictated by modern concepts in society -- the Friend of the Court function, the travel, the clerical help, process serving, juvenile court requirements, legal representation, the greatly increased costs of commitments of the mentally ill and much more.

All of this had added greatly to the heavy financial load borne by counties. More of the same looms for the future. The recent state assumption of additional probation costs will be very helpful, especially to Wayne County and Detroit. As a whole, however, it is no wonder that in some counties the commissioners and the judges increasingly find themselves at loggerheads over how to pay the bills, and allocate scarce resources.

Such considerations as these lead me to conclude that in time the counties are, almost in unison, going to hammer at the legislative door demanding relief, and in all probability receive it.

What then of the other major concern, the Detroit/Wayne County court restructuring problem?

Let me point out that the difficulties enumerated on this podium in 1971 have not only increased in severity, born of demands springing from numerical factors, but are exacerbated by the broadened horizon of expectations of courts in this rapidly changing world. We not only are expected to resolve disputes but to devise cures for all of society's perceived ills.

We travel from one crisis to the next, apparently without end.

Attributable in major part to splendid legislative response in 1977-1978, a dismaying breakdown in Detroit Recorder's Court, which handles one-third of Michigan's felony cases, was vigorously tackled and overcome.

This was a "crash" rescue program. Reinforcements in money, manpower and know-how were marshaled. A heavy backlog in trials, stockpiling of defendants in jail, release of dangerous offenders for lack of space to confine them, staff demoralization -- all these were brought under effective control, although not without considerable cost.

Regretably, I must report that even now -- long after stabilization was achieved -- judicial manpower in

Recorder's Court still is being supplemented by the equivalent of three judges assigned from elsewhere every week and paid out of the Supreme Court budget. Hopefully, the need for reinforcements will end when the second trio of additional judges authorized by the Legislature in 1978 finally is elected this November. The first three new judgeships were filled in the fall election of 1978.

Then last fall came the breakdown in Wayne County Juvenile Court -- the headlines about boys and girls entrusted to the court's care and then assertedly "lost" by the score. Well, it was not quite that way but it was another crisis -- now effectively resolved with months of assistance by the Supreme Court Administrator's Office and specifically by former Probate and Juvenile Court Judge Russell Baugh with highly qualified staff and very cooperative judges.

In Traffic and Ordinance Division of Recorder's Court -- another crisis. Remedial steps began there last summer, and now we have hired the leader of the Felony Division rescue to search for a lasting solution.

The Supreme Court budget also has been charged with the difference between the pay of Common Pleas and Wayne County Circuit Court judges for over one year to diminish the backlog of cases under \$10,000 filed improperly in circuit court. There is only one there at this time.

I will not dwell on exasperating delays, shoddy facilities and other frustrations that beleaguer Wayne County courts.

You all know, of course, that one common denominator in each situation is governmental poverty in Detroit and Wayne County, malnutrition of the treasury, you might say. But it takes its toll in court operations as it does in the rest of local government.